

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

POWER INVESTMENTS, LLC,	)	
	)	
<i>Plaintiff,</i>	)	
	)	Case No. 4:21-cv-01022
vs.	)	
	)	
CARDINALS PREFERRED, LLC,	)	
	)	
<i>Defendant.</i>	)	

**CONSENT ORDER**

Plaintiff Power Investment, LLC's ("Power") and Defendant Cardinals Preferred, LLC ("Cardinals") jointly stipulate and agree as follows:

1. On August 16, 2021, Power filed a Motion for Temporary Restraining Order and Preliminary Injunction ([Dkt. 2](#)) (the "Motion") which was heard by the Court on August 19, 2021 ([Dkt. 14](#)).
2. On August 20, 2021, the Court granted the Motion in part and entered a temporary restraining order ([Dkt. 15](#)) (the "TRO") and scheduled a hearing on September 3, 2021 to hear testimony and argument on Power's request for preliminary injunction.
3. Cardinals has agreed to the entry of this consent order extending the same restrictions set forth in the TRO until final disposition of this case and therefore agrees to withdraw its objection to the Motion.
4. Accordingly, Cardinals is enjoined and restrained, until the final disposition of this case, from directly or indirectly, on its own or on behalf of, or in conjunction or concert with, any person, persons, or legal entity, whether as agent, representative, employee, or consultant, or in any capacity: 1) exercising or

otherwise advancing or acting upon any purported conversion of its Preferred Units to Class A Common Units, and 2) taking or attempting to take action that would frustrate, nullify, prevent, subvert, interfere with, or undermine the consummation of Power's August 9, 2021, Call.

5. This agreement shall neither act or be construed as a waiver or estoppel of, nor shall prejudice in any way, the parties' respective legal positions in this matter. Consistent with the parties' representations to the Court during the August 19, 2021 hearing, the parties agree that this order shall not constitute a final determination of the merits of Plaintiff's claims, including its claim for specific performance of the Call Option under section 10.5.
6. Cardinals waives the requirement for formal service of process and will file a responsive pleading by September 24, 2021.
7. The matter should be set under Fed. R. Civ. P. 16 and Local Rule 5.01 to Track 1, Expedited Case Management Track, and the parties request a Rule 16 conference with the Court.

Dated: September 1, 2021

Respectfully submitted,

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*Attorneys for Defendant Preferred, LLC*

IT IS SO ORDERED this 2nd day of September, 2021.

A handwritten signature in black ink, reading "Sarah E. Pitlyk". The signature is written in a cursive style with a large, looped "S" and a distinct "P".

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SARAH E. PITLYK  
UNITED STATES DISTRICT JUDGE

**CERTIFICATE OF SERVICE**

I certify that on September 1, 2021, the foregoing was electronically filed with the Clerk of the Court using the Court's CM/ECF system which will send notification of such filing to all counsel of record.

/s/ Christopher R. LaRose